

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CHARLOTTE BENNETT,

Plaintiff,

-v-

ANDREW M. CUOMO, MELISSA DEROSA, JILL  
DESROSIERS, and JUDITH MOGUL,

Defendants.

CIVIL ACTION NO.: 22 Civ. 7846 (VSB) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the telephone conference held today, February 1, 2024 (the “Conference”), regarding (i) the renewed request of Defendant Andrew Cuomo (“Mr. Cuomo”) to compel compliance with a subpoena he served on non-party Lindsey Boylan (“Ms. Boylan”) for the production of documents (ECF No. 170 (“Mr. Cuomo’s Request”)), (ii) Mr. Cuomo’s request (ECF No. 141) to compel compliance with a subpoena he served on non-party the New York State Office of the Attorney General (“OAG”) for the production of documents (the “OAG Subpoena”), and (iii) Plaintiff’s request for an order directing “Defendants to provide dates for their depositions forthwith and to set a discovery deadline of no later than two months thereafter” (ECF No. 172 (“Plaintiff’s Request”)), the Court orders as follows:

1. For the reasons stated on the record at the Conference, with respect to his subpoena to Ms. Boylan (see ECF No. 136 at 6–20), Mr. Cuomo still “has not established that Requests 2–16, 18, and 19 [the ‘Requests’] seek discovery that is relevant and proportional to the needs of this case.” (ECF No. 164 ¶ 1.b). Accordingly, Mr. Cuomo’s Request is DENIED, and Ms. Boylan is not required to respond to the Requests. The parties and Ms. Boylan are directed, however, to meet and confer to discuss a

stipulation for the use in this action of any production by Ms. Boylan in Trooper 1 v. New York State Police et al., No. 22 Civ. 893 (LDH) (TAM) (E.D.N.Y.)—which may include documents responsive to the Requests—without prejudice to any party or non-party’s argument concerning relevance, admissibility, or the merits.

2. By **February 2, 2024**, Mr. Cuomo shall file a proposed briefing schedule for his motion to compel the OAG’s compliance with OAG Subpoena.
3. By **February 12, 2024**, Mr. Cuomo shall file his pre-motion letter (the “Pre-Motion Letter”) regarding his anticipated motion to compel compliance with subpoenas he served on non-parties Cleary Gottlieb Steen & Hamilton LLP and Vladeck Raskin & Clark P.C. (together, the “Law Firms”).
4. By **February 20, 2024**, the Law Firms shall file their responses to the Pre-Motion Letter.
5. A telephone conference is scheduled for **Monday, February 26, 2024 at 4:00 pm** on the Court’s conference line (the “Feb. 26 Conference”), to discuss, inter alia, Mr. Cuomo’s Pre-Motion Letter and the status of discovery. The parties and all pertinent non-parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.
6. Any party seeking to raise an issue ripe for the Court’s attention—i.e., a discovery issue about which the parties have already met and conferred pursuant to the Court’s Individual Practices—at the Feb. 26 Conference must file a letter, no longer than three (3) pages, setting forth their request no later than **February 20, 2024 at 5:00 pm**.

Mr. Cuomo's letter shall include the status of Ms. Boylan's compliance with the Court's January 4, 2024 Order (see ECF No. 164 ¶ 1.a).

7. Plaintiff's Request is DENIED as moot in light of the parties' representation at the Conference that they have agreed on a proposed schedule for the completion of discovery. The parties' proposed schedule is ADOPTED, and the discovery schedule is EXTENDED as follows:

- a. Depositions shall be completed by **June 30, 2024**.
- b. Fact discovery shall be completed by **August 15, 2024**.
- c. Expert discovery shall be completed by **September 30, 2024**.

8. The parties shall promptly order a transcript of the Conference and ensure that it is filed on the docket.

The Clerk of Court is respectfully directed to close ECF No. 172.

Dated: New York, New York  
February 1, 2024

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge